IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO. 383 OF 2006
IN
WRIT PETITION (LODG) NO. 2656 OF 2006

1. Bharat M. Yadav & Anr.] .. Petitioners

Versus

1. Municipal Corporation of Greater Mumbai & 3 ors.] .. Respondents

And

1. Shila Bharat Yadav & 4 ors.] .. Applicants.

Mr. M.M. Vashi for the petitioners.

Mr. A.Y. Sakhare, senior counsel with Mrs. P.A. Purandare for the respondents No.1 to 3.

Ms. Geeta Shastri, AGP, for respondent No.4.

CORAM: R.M. LODHA, &
SMT. NISHITA MHATRE, JJ.

DATED: 16TH JANUARY, 2007

P.C. :

. We were informed by the counsel for the petitioners that Chamber Summons No.383 of 2006 has been taken out by the petitioners for substitution of the first petitioner who died on 29th November, 2006 and for leave to amend the Writ Petition as per the Schedule annexed thereto.

2. The senior counsel for the respondents No.1, 2 and 3 and the Assistant Government Pleader for respondent No.4 have no objection if Chamber Summons is granted in terms of prayer clauses (a), (b) and (c).

3. We, accordingly, grant the Chamber Summons in terms of prayer clauses (a), (b) and (c). Prayer clauses (a), (b) and (c) read thus:

> "(a) that the applicants who are the legal heirs and representatives of the deceased 1st petitioner, who died on 29.11.2006, be allowed to be brought on record.
>
> (b) that leave to amend the Petition as per the Schedule annexed hereto be granted.
>
> (c) That the consequential amendments be allowed to be carried out.
>
> (d) That the costs of the Chamber Summons be provided for.
>
> (e) Such other and further reliefs be granted as the court may deem fit to grant."

4. Necessary amendment be carried out within two weeks from today and amended copy of the Writ Petition be supplied to the respondents No.1, 2 and 3 as well as respondent No.4. It will be open to the respondents to file supplementary reply Affidavit/additional reply Affidavit within two weeks from the date of receipt of

the amended copy of the Writ Petition.

5. Let Writ Petition come up for admission after four weeks.

6. Chamber Summons stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[SMT. NISHITA MHATRE, J.]